

Remarks/Arguments

The above identified Office Action has been received, the references carefully considered, and the Examiner's comments carefully weighed. In this regard, it is contended that all bases of rejection set forth in both the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejections is respectfully requested.

Drawings

According the Office Action, the drawings are objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. Applicant has provided with this Response a proposed Figure 6 showing the V-shaped channels as described in the specification page 5 line 13. Applicant respectfully submits that Figure 6 does not add new matter since Figure 6 is the same as Figure 5 and adds the V-shape described in the specification. In addition, applicant has provided a proposed drawing correction for Figure 3 showing the radius of curvature 70. Also, the specification was amended to insert reference numeral 70 for the radius of curvature.

In addition, according to the Office Action, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference signs mentioned in the description: page 6, paragraph [0021], "main body 6". Applicant has amended the description to include the correct reference sign already provided for in Figure 1, "main body 16".

Rejection under 35 U.S.C. 112

According to the Office Action, Claims 11 and 16 are being rejected as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

With respect to Claim 11, the Examiner indicates it is not clear to the office how the radius of curvature of the channels can be 2 meters. Applicant respectfully submits that the proposed drawing correction referenced above makes clear how the radius of curvature of the channels can be 2 meters.

With respect to Claim 16, the Examiner indicates it is not clear to the office how the channels along the base are of a height which is less than their height in the region of reduced height. Applicant respectfully points the Examiner to Claim 6 wherein the region of reduced height is claimed and the specification page 4, lines 9 and 10 and page 5, lines 16-18.

According to the Office Action, Claims 10 and 11 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to Claim 10, the Examiner indicates there is insufficient antecedent basis for the limitation "the taper" in line 1. Applicant has amended Claim 10 to include a sufficient antecedent basis. The Examiner also indicates that the term "large radius" is a relative term which renders the Claim indefinite. Applicant respectfully submits that the proposed drawing correction referenced above along with the specification page 5, lines 15-18 is sufficient for one skilled in the art to be reasonably apprised of the scope of the invention.

With respect to Claim 11, the Examiner indicates there is insufficient antecedent basis for the limitation "the radius of curvature" in line 1. Applicant has amended Claim 10 and 11 to include a sufficient antecedent basis.

Accordingly, in view of the amendments, applicant respectfully requests the rejection under 35 U.S.C. 112 to be withdrawn.

Rejection under 35 U.S.C. 102

According to the Office Action, Claims 1, 2, 4, 5, 6, 10, 12 – 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Onozaki (JP 11-280548). In this regard, the Examiner indicates that Onozaki discloses an oil pan for an engine comprising: a plurality of substantially parallel, spaced-apart reinforcement channels extending from adjacent a first end (23) of the oil pan to adjacent a second end (thinner area) of the oil pan, each channel having a base and two sides and an open top, the channels tapering downwardly from the first end and the second end towards an accumulation area (see Fig. 1 flat circular portion 28) of the oil pan.

Applicants respectfully traverse each of the aforesaid grounds for rejection under 35 U.S.C. 102, for the reasons set forth below.

Discussion of the Onozaki Reference

Applicants respectfully submit that Onozaki does not disclose "the channels tapering downwardly from the first end and the second end towards an accumulation area (see Figure 1 flat circular portion 28). Applicants respectfully submit that the channels disclosed in Onozaki do not extend downwardly to the flat circular portion 28 as the Examiner has indicated. As seen in Figure 1 of Onozaki, the channels extending from the "thinner area" (proximate number 20 of Figure 1) extend in an upward direction toward both the flat circular portion which is not numbered and the flat circular portion 28.

Arguments in Support of Allowance over the Onozaki Reference

Applicants respectfully submit that Claim 1 as amended is allowable since Onozaki does not disclose the limitations of Claim 1. As such, all of the dependent claims from Claim 1 should also be allowable.

Rejection under 35 U.S.C. 103

According to the Office Action, Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Onozaki (JP 11-280548), as applied to Claim 1, in view of Hofbauer et al (USPN 4,296,716). In this regard, the Examiner indicates Onozaki discloses all of the instantly claimed invention except the reinforcement channels are V-shaped. The Examiner also indicates Hofbauer et al shows reinforcement channels that are V-shaped. The Examiner then concludes that it would have been obvious to one having ordinary skill in the art to combine the teachings of Onozaki and Hofbauer et al so as to form the channels in a V-shape.

Applicants respectfully traverse each of the aforesaid grounds for rejection under 35 U.S.C. 103, for the reasons set forth below.

Discussion of the References at Issue

Onozaki discloses an oil pan for an engine comprising: a plurality of substantially parallel, spaced-apart reinforcement channels extending from adjacent a first end (23) of the oil pan to adjacent a second end (thinner area) of the oil pan, each channel having a base and two sides and an open top, the channels tapering downwardly from the first end and the second end towards an accumulation area (see Fig. 1 flat circular portion 28) of the oil pan.

Hofbauer et al. discloses an oil pan having two different chambers. One chamber is located at a distance above the bottom of the other chamber. One chamber serves to rapidly warm up an oil quantity while the other chamber serves to cool oil. The portion of Hofbauer et al. referenced by the Examiner discloses that the bottom region of the oil pan (the oil cooling chamber) may be provided with ribs or corrugations 15 extending in the direction of travel however, for an oil pan mounted to a transversely mounted engine.

Arguments in Support of Allowance

Applicant respectfully submits that the Hofbauer reference fails to suggest reinforcement channels which extend downwardly from the first end and the second end towards an accumulation area of the oil pan. Applicant respectfully submits that the combination of Hofbauer and Onozaki does not teach the Applicants invention since neither Onozaki nor Hofbauer suggest reinforcement channels which extend downwardly from the first end and the second end towards an accumulation area of the oil pan.

Rejection under 35 U.S.C. 103

According to the Office Action, Claims 7-9, and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onozaki (JP 11-280548), as applied to Claim 1, in view of Takubo (USPN 4,770,276). In this regard, the Examiner indicates Onozaki discloses all of the instantly claimed invention except the planar portion which is adaptable to releasably receive thereon a horizontal portion of a substantially L-shaped cover plate. The Examiner also indicates Takubo shows a planar portion adapted to releasably receive thereon a horizontal portion (28) of a substantially L-shaped cover plate. The Examiner then concludes that it would have been obvious to one having ordinary skill in the art to combine the teachings of Onozaki and Hofbauer et al so as to modify the oil pan of Onozaki with a cover plate for the purpose of reinforcing the mounting of the oil pan to the transmission.

Applicants respectfully traverse each of the aforesaid grounds for rejection under 35 U.S.C. 103, for the reasons set forth below.

Arguments in Support of Allowance

Applicant respectfully submits that the Takubo reference fails to suggest reinforcement channels which extend downwardly from the first end and the second end towards an accumulation area of the oil pan. Applicant respectfully submits that the combination of Takubi and Onozaki does not teach the Applicants invention since neither Onozaki nor Takubi suggest reinforcement channels which extend downwardly from the first end and the second end towards an accumulation area of the oil pan.

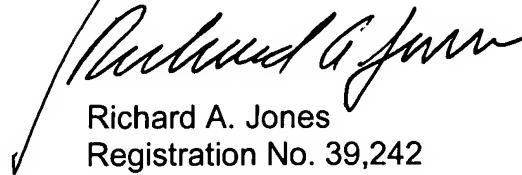
Conclusion

It is respectfully submitted that Applicants have responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicants have made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements.

Application No. 10/027,814
Amendment dated September 12, 2003
Reply to Office Action of March 12, 2003

Accordingly, Applicants respectfully request that the Examiner enter this Amendment, allow the Claims, and pass the Application to issue.

Respectfully submitted,



Richard A. Jones
Registration No. 39,242
Attorney for Applicant

DICKINSON WRIGHT PLLC
1901 L Street NW, Suite 800
Washington, DC 20036
(248) 433-7285

Dated: September 12, 2003

RAJ/trt

BLOOMFIELD 27006-2 566435

BEST AVAILABLE COPY